

From: Mike Barrett
To: Microsoft ATR
Date: 1/24/02 9:32pm
Subject: Microsoft Settlement

I wish to exercise the opportunity for public comment afforded by the Tunney Act to voice profound objection to the Proposed Final Judgment in United States v. Microsoft.

The Proposed Final Judgment does very little to reduce the perpetuation of anticompetitive behavior by the defendant. In point of fact, the wording of definitions and provisions in the Proposed Final Judgment is so overly narrow and misleading that the defendant will be able to use the Judgement as a tool to leverage still greater dominance in a market they have almost entirely (and illegally) monopolized.

For example, C# misses being defined as Microsoft middleware under definition K. While presented as an evolution of Java by the defendant, C# is being positioned as a Java-killer in the same sense that IE was used to crush Netscape. Recent OS software releases by Microsoft are tellingly absent of Java support. In my attempts to research cross-platform support for C# and .NET programming, I repeatedly bounced off "This page can only be viewed with Microsoft Internet Explorer" messages, an absurd perversion of the open standards upon which internet networking is based.

Also evading the narrow definition 'K' is MicroSoft.NET, a very ambitious initiative by the defendant to dominate internet network services. It seems not merely likely, but certain that the defendant will leverage its present monopoly position to block competing entry into this nascent (and supremely lucrative) field. It is, after all, outside the scope of the Proposed Judgement as written, except that independent software vendors are specifically prohibited by the Judgement from using released Microsoft APIs in the development of applications for non-Microsoft operating systems.

These are just two of many glaring examples demonstrating that the Proposed Final Judgment does not and will not remedy the behavior of the defendant. It would be contrary to the best interest of the People of The United States if the proposed settlement were to become the Final Judgement in the case.

Sincerely,
Michael Barrett